

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN MILLINER,

Plaintiff,

v.

DAVID DIGUGLIELMO, et al.,

Defendants.

CIVIL ACTION

No. 08-4905

**MEMORANDUM/ORDER**

Plaintiff John Milliner previously filed a motion to stay this case because his medical conditions render him unable to type or handwrite further submissions. On March 16, 2010, this court granted plaintiff's motion for a period of thirty days. The order specified that plaintiff was to inform this court during that thirty-day period if he could, and wished to, proceed *pro se* in this action instead of enduring a lengthy wait for the appointment of counsel from the Pro Se Prisoner Civil Rights Panel. In an accompanying memorandum, I indicated that if plaintiff did not reply to the March 16 order, this case would be placed in civil suspense until counsel was appointed. Plaintiff has, to date, not filed a response with this court.

For that reason, it is, this 23<sup>rd</sup> day of April, 2010, hereby **ORDERED** that the Clerk is directed to place this case in civil suspense pending the appointment of counsel for the plaintiff from the Pro Se Prisoner Civil Rights Panel.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.